



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

JRE

Docket No: 5176-99

10 April 2000



Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 30 March 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board noted that the first entry in your health record concerning nasal obstruction is dated 21 April 1970. It indicates that you required "reevaluation of nasal obstruction", but does not specify the dates of onset or previous evaluation of the obstruction. A 5 May 1970 entry indicates that you had a prior medical history significant for pneumonia at age 15 (which you had not previously disclosed) and of right nasal obstruction secondary to trauma. An 11 May 1970 entry indicates that you had an old nasal fracture and chronic obstruction, and an entry dated 12 May 1970 shows that you had an "old fractured turbinate". A 15 June 1970 entry indicates that you had sustained a fractured nose two years earlier, and had difficulty breathing through the nose, right more than left.

The Board concluded that those medical record entries support the conclusion that you sustained trauma to your nose and experienced nasal obstruction prior to enlisting in the Marine Corps. The Board carefully considered the statements you submitted in support of your application, which indicate that you did not have a pre-service history of a fractured nose or septal deviation, but found that information insufficient to demonstrate that of the

aforementioned medical record entries are erroneous. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director